

PATENT COOPERATION TREATY

DOCKETED (fny)

ducdte: 16/11/03

From the:
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

Lawrence Y D Ho & Associates Pte Ltd
30 Bideford#07-01
Thongsia Building
Singapore 229922PCT
WRITTEN OPINION
(PCT Rule 66)

Date of mailing

(day/month/year)

16 OCT 2003

Applicant's or agent's file reference

1008.P003PCT

REPLY DUE

within TWO MONTHS
from the above date of mailing

International Application No.

PCT/SG03/00015

International Filing Date (day/month/year)

24 January 2003

Priority Date (day/month/year)

1 April 2002

International Patent Classification (IPC) or both national classification and IPC

Int. Cl. ⁷ B05C 17/02, 17/025, 17/035

Applicant

ER, Poh Leong

1. This written opinion is the **first** drawn by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The **FINAL DATE** by which the international preliminary examination report must be established according to Rule 69.2 is:
1 August 2004

4. The applicant is hereby invited to reply to this opinion.

When? See the Reply Due date indicated above. However, the Australian Patent Office will not establish the Report before the earlier of (i) a response being filed, or (ii) one month before the Final Date by which the international preliminary examination report must be established. The Report will take into account any response (including amendments) filed before the Report is established. If no response is filed by 1 month before the Final Date, the international preliminary examination report will be established on the basis of this opinion.

Applicants wishing to have the benefit of a further opinion (if needed) before the report is established should ensure that a response is filed at least 3 months before the Final Date by which the international preliminary examination report must be established.

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.
For an informal communication with the examiner, see Rule 66.6.

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WRITTEN OPINION

International application No.
PCT/SG03/00015

I. Basis of the opinion

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☐ the description, pages , as originally filed,
pages , filed with the demand,
pages , received on with the letter of
- ☐ the claims, pages , as originally filed,
pages , as amended under Article 19,
pages , filed with the demand,
pages , received on with the letter of
- ☐ the drawings, pages , as originally filed,
pages , filed with the demand,
pages , received on with the letter of
- ☐ the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 2-8, 13-23	YES
	Claims 1, 9-12	NO
Inventive step (IS)	Claims 2-4, 13-23	YES
	Claims 1, 5-12	NO
Industrial applicability (IA)	Claims 1-23	YES
	Claims	NO

2. Citations and explanations

Novelty and Inventive Step

C1 - NL 8301130 (SCHULER J P) 16 October 1984
C2 - CA 2101124 (BAZYDLO S) 23 January 1995
C3 - US 5412832 (IRVEN) 9 May 1995
C4 - GB 2143158 (MULTIGOOD BV) 6 February 1985

Figure 1 of citation C1 discloses all features of claim 1 by disclosing a paint roller having a frustoconical shape, and in addition reference number 1 indicates the paint absorbable member. However, it is slightly difficult to tell from the figure whether the applicator is capable of being rotated at the coupling portion or not. Therefore claim 1 is not novel.

Figure 1 of citation C2 discloses the features of claim 1, including a paint roller having frustoconically shaped applicator which is rotatable at the coupling portion and having at least 1 paint absorbable external surface. It also shows that one of the opposite ends of the applicator has a coupling portion as mentioned in claim 9 of the current invention. Figure 1 further shows that the coupling end has a planar cross-section smaller than that of the opposite end (claim 10), that the coupling portion is in the centre of the coupling end (claim 11), and it comprises an abutment member which appears to be mountable on one of the opposite ends (claim 12). Therefore the invention of claims 1, and 9-12 is not novel.

Citation C3 discloses the features of claim 1, including a paint roller having a frustoconically shaped applicator (column 2, line 24) which is rotatable at the coupling portion and has at least one paint absorbable external surface (figure 1). Figure 1 also shows that one of the opposite ends of the applicator has a coupling portion (claim 9), where the coupling portion is in centre of coupling end (claim 11), and which also comprises an abutment member mountable to 1 of the opposite ends (claim 12). Column 2, line 25 further discloses that the coupling end has a planar cross-section smaller than that of the opposite end (claim 10) of the applicator. In view of this, the invention of claims 1, and 9-12 lack novelty.

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of CITATIONS AND EXPLANATIONS

Reading C4 in combination with C2 discloses a frustoconically shaped applicator having a chamber for storing paint (p1, lines 39-43), where there is a closable inlet leading into chamber (p2, line 23-24), and where the 1 closable inlet is disposed at one of the opposite ends of the applicator (p2, lines 61-77).

In view of this, claims 5-8 lack an inventive step. A person skilled in the art would have known to combine this two documents since both citations are directed to a problem similar to the applicant's problem, (ie. to be able to selectively apply paint at surface corners without needing separate accessories such as a barrier or guard to be assembled or attached. Therefore, in searching the problem a person skilled in the art could reasonably be expected to have found, and to have ascertained, understood, and regarded, this prior art as relevant, and therefore would know to combine the two documents in a reasonable manner, and therefore the person skilled in the art would art would proceed to this result by routine non-inventive steps.

Therefore claims 5-8 are not inventive.